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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/807,308	03/24/2004	Wenming Xiao	114122-00153

27557  
BLANK ROME LLP  
600 NEW HAMPSHIRE AVENUE, N.W.  
WASHINGTON, DC 20037

CONFIRMATION NO. 4431

## FORMALITIES LETTER



\*OC000000012523751\*

Date Mailed: 05/04/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/05/2004 AOSMAN1 00000028 232185 10807308

02 FC:1051 130.00 DA

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 3,7,8.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

08/05/2004 AOSMAN1 00000028 232185 10807308

01 FC:1251 110.00 DA

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

Y.G.  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



In re application of: XIAO et al.  
Serial No: 10/807,308  
Filed: March 24, 2004  
For: LUNG CANCER DETECTION

GAU: 1645  
Confirmation No. 4431  
Examiner: To be assigned

**Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Sir:

In response to the Notice to File Missing Parts of Application dated May 4, 2004 (copy attached), the following are enclosed:

- ☐ Transmittal Form;
- ☒ Fee Transmittal Form (indicating to charge deposit acct. 23-2185 total amount of \$280.00);
- ☐ Small Entity Status is claimed;
- ☒ \$130.00 surcharge in response to the Notice to File Missing Parts; (charge deposit acct. 23-2185)
- ☒ \$110.00 for a one month extension of time; (charge deposit acct. 23-2185)
- ☒ Executed Declaration/Power of Attorney;
- \$ surcharge for originally filing a non-English language application;
- ☐ Verified English language translation of the originally filed non-English application; and

**Applicants(s) are also submitting the following:**

- ☐ Request for Corrected Filing Receipt;  
☐ An Information Disclosure Statement;  
☐ Form PTO-1449 and reference(s);  
☐ Priority Application No. filed ;  
☒ Executed Assignment with Form PTO-1595; and  
☒ \$40.00 recordation of Assignment fee (charge deposit acct. 23-2185).

☒ Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 23-2185. A duplicate copy of this sheet is enclosed.

☒ If these papers are not considered timely filed by the Patent & Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time may be charged to Deposit Account No. 23-2185. A duplicate copy of this sheet is enclosed.

**Blank Rome LLP**  
**600 New Hampshire Avenue, N.W.**  
**Washington, DC 20037**  
**Tel: (202) 772-5800**  
**Fax (202) 572-8398**  
**Customer No.: 27557**

Date: August 4, 2004

Respectfully submitted,

Brian C. Jones  
Attorney of Record  
Registration No. 37,857

# FEE TRANSMITTAL for FY 2004

Effective 1010112003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 280.00

## Complete If Known

Application Number	10/807,308
Filing Date	March 24, 2004
First Named Inventor	Wenming XIAO et al.
Examiner Name	To be assigned
Art Unit	1645
Attorney Docket No.	114122-00163

### METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ other ☐ None  
☒ Deposit Account:

Deposit Account Number

23-2185

Deposit Account Name

Blank Rome LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments  
☐ Charge any additional fee(s) or any underpayment of fee(s)  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ ) .00

#### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
20 **	-20 X		0
Independent Claims	3 **	-3 X	0
Multiple Dependent			0

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 over original patent	

SUBTOTAL (2) (\$ ) .00

\*\*or number previously paid, if greater; For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity

Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	\$130.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	\$110.00
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	\$40.00
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	77	2810	385	Request for Continued Examination (RCE)	
1802	90	1802	900	Request for expedited examination of a design application	

Other fee (Specify) \_\_\_\_\_

SUBTOTAL (3)

(\$ ) 280.00

### SUBMITTED BY

(Complete (if applicable))

Name (Print/Type) Brian C. Jones Registration No. (Attorney/Agent) 37,857 Telephone 202-772-5800

Signature  Date August 4, 2004

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